

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Receipt # \$

Re the application of: Hermann Bujard et al.

Serial No.: 09/777,317

Filed: February 5, 2001

For: *TETRACYCLINE-REGULATED  
TRANSCRIPTIONAL ACTIVATOR FUSION  
PROTEINS (as amended)*

Attorney Docket No.: BBI-013C3CN3

Group Art Unit: 1775

Examiner: R. Shukla

Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, D.C. 20231

REQUEST FOR CORRECTION OF FILING RECEIPT

Dear Sir:

Applicants respectfully request correction of the Official Filing Receipt received from the U.S. Patent and Trademark Office in the above-referenced application. The current title "Methods for Regulating Gene Expression" should correctly appear as "**Tetracycline-Regulated Transcriptional Activator Fusion Proteins**" as amended in Applicants' Preliminary Amendment submitted on February 5, 2001. A copy of the Filing Receipt with the changes noted thereon is submitted herewith. Applicants request a corrected Filing Receipt.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231 on:

December 5, 2001

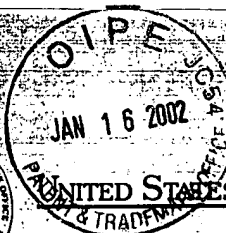
Date

Giulio A. DeConti, Jr., Esq., Reg. No. 31,503

Respectfully submitted,

LAHIVE & COCKFIELD, LLP

Giulio A. DeConti, Jr., Esq.  
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28 State Street  
Boston, MA 02109  
(617) 227-7400



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/777,317	02/05/2001	1775	0.00	BBI-013C3CN3	32	22	3

CONFIRMATION NO. 3698

000959

LAHIVE & COCKFIELD  
28 STATE STREET  
BOSTON, MA 02109

## FILING RECEIPT



\*OC000000006384387\*

Date Mailed: 08/06/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

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## Assignment For Published Patent Application

BASF Aktiengesellschaft, Ludwigshafen, GERMANY;  
Knoll Aktiengesellschaft, Ludwigshafen, GERMANY;

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CON OF 09/163,276 09/29/1998 ABN  
WHICH IS A CON OF 08/479,306 06/07/1995 PAT 5,888,981  
WHICH IS A CIP OF 08/260,452 06/14/1994 PAT 5,650,298  
WHICH IS A CIP OF 08/076,327 06/14/1993 ABN

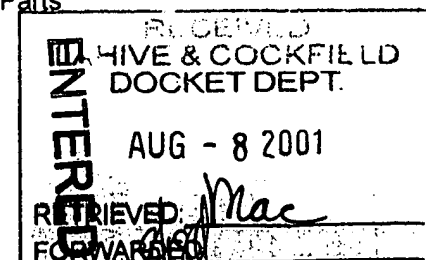
## Foreign Applications

If Required, Foreign Filing License Granted 04/10/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

N n-Publication Request: No

Early Publication Request: No



Title

*Tetracycline-Regulated Transcriptional Activator Fusion Proteins*  
~~Methods for regulating gene expression~~

Preliminary Class

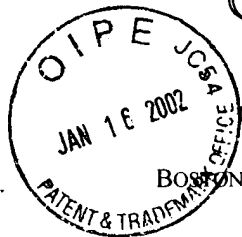
264

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Data entry by : NEGASH, GHIDEI

Team : OIPE

Date: 08/06/2001



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\* Admitted in NY only  
\*\* Passed the Patent Bar Examination  
\*\*\* Admitted in TX only

December 5, 2001

Box Missing Parts  
Commissioner for Patents  
Washington, D.C. 20231

Re: U.S. Patent Application Serial No.: 09/777,317  
Title: TETRACYCLINE-REGULATED TRANSCRIPTIONAL ACTIVATOR  
FUSION PROTEINS (as amended)  
Filed: February 5, 2001  
Inventors: Hermann Bujard, et al.  
Attorney's Docket No.: BBI-013C3CN3

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice To File Missing Parts of NonProvisional Application (2 pages, in duplicate);
2. Copy of Notice To File Missing Parts of NonProvisional Application;
3. Request for Correction of Filing Receipt (1 page);
4. Copy of Filing Receipt with changes noted thereon;
5. Request for Two-Month Extension of Time (1 page, in duplicate);
6. Checks for \$906.00 (filing fee and surcharge) and \$400.00 (extension fee); and
7. Return-Receipt Postcard.

Please charge any necessary fees to our Deposit Account No. 12-0080. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, DC 20231 on:

December 5, 2001

Date

Giulio A. DeConti, Jr., Esq., Reg. No. 31,503

Respectfully submitted,

LAHIVE & COCKFIELD

Giulio A. DeConti, Jr., Esq.  
Reg. No. 31,503  
Attorney for Applicants



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Hermann Bujard et al.

Serial No.: 09/777,317

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For: *TETRACYCLINE-REGULATED  
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PROTEINS (as amended)*

Attorney Docket No.: BBI-013C3CN3

Group Art Unit: 1775

Examiner: R. Shukla

**BOX MISSING PARTS**

Commissioner for Patents  
Washington, D.C. 20231

**Certificate of First Class Mailing**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on the date set forth below.

December 5, 2001

Date of Signature and of Mail Deposit

By: 

Giulio A. DeConti, Jr., Esq.

**RESPONSE TO NOTICE TO FILE MISSING PARTS  
OF NONPROVISIONAL APPLICATION**

Dear Sir:

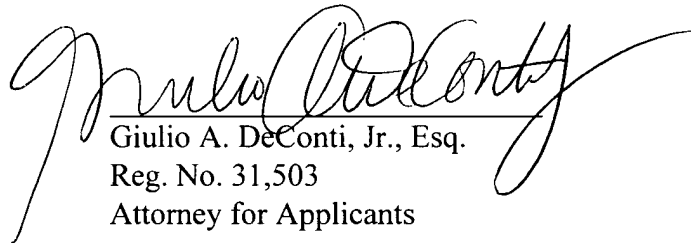
Responsive to the Notice to File Missing Parts of NonProvisional Application dated August 6, 2001, Applicants' attorney submits herewith a check in the amount of \$906.00 to cover the total amount owed by Applicant including \$740.00 basic filing fee, \$36.00 additional claim fee, and \$130 surcharge based on large entity status. A copy of the Notice to File Missing Parts of NonProvisional Application is also enclosed.

The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §1.16 and 1.17 during the pendency of this application or credit any overpayment to Deposit Account No. 12-0080.

Please charge any underpayments or credit any overpayments associated with this communication to our Deposit Account No. 12-0080. A duplicate of this letter is enclosed.

Respectfully submitted,

LAHIVE & COCKFIELD



Giulio A. DeConti, Jr., Esq.  
Reg. No. 31,503  
Attorney for Applicants

28 State Street  
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Tel. (617) 227-7400

Dated: **December 5, 2001**



UNITED STATES PATENT AND TRADEMARK OFFICE

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/777,317	02/05/2001	Hermann Bujard	BBI-013C3CN3

CONFIRMATION NO. 3698

000959  
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28 STATE STREET  
BOSTON, MA 02109

## FORMALITIES LETTER



\*OC00000006384388\*

Date Mailed: 08/06/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- o The statutory basic filing fee is missing.  
*Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- o Total additional claim fee(s) for this application is \$36.
  - \$36 for 2 total claims over 20.
- o To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- o **The balance due by applicant is \$ 876.**

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

01/23/2002 09777317  
01 FC:101 740.00 BP  
02 FC:105 130.00 BP  
03 FC:103 36.00 BP